

Message Text

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ACTION L-03

INFO OCT-01 ADP-00 IO-13 AF-10 ARA-16 EA-11 EUR-25 NEA-10

RSC-01 COA-02 EB-11 OIC-04 CIAE-00 DODE-00 PM-07 H-03

INR-10 NSAE-00 NSC-10 PA-03 PRS-01 SS-15 USIA-15

ACDA-19 AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04

INT-08 JUSE-00 NSF-04 OMB-01 TRSE-00 SCI-06 CEQ-02

RSR-01 /247 W

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R 151735Z AUG 73

FM USMISSION GENEVA

TO SECSTATE WASHDC 1205

INFO USMISSION USUN NY

AMEMBASSY LIMA

AMEMBASSY MOSCOW

AMEMBASSY MADRID

AMEMBASSY SUVA

AMEMBASSY RABAT

AMEMBASSY VALLETTA

AMEMBASSY ANKARA

AMEMBASSY YAOUNDE

AMEMBASSY MANILA

AMEMBASSY MONTIVIDEO

UNCLAS GENEVA 4381

E.O. 11652:

TAGS: PBOR, UN

SUBJ: LOS: SEABED COMTE MEETING, SUBCOMMITTEE II

WORKING GROUP, AUGUST 13, 1973

1. SUMMARY: WG CONTINUED PROCEDURAL DISCUSSION ON
COMPARATIVE TABLE ON INNOCENT PASSAGE THROUGH TERRI-
TORIAL SEA.

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2. CHAIRMAN ANNOUNCED THAT INFORMAL CONSULTATIONS

HAD RESULTED IN COMBINING 8 ALTERNATIVES INTO SINGLE TEXT ON ITEM 2.4 OF LIST. CONSEQUENTLY 7 ALTERNATIVES REMAINED.

3. PERUVIAN REP STATED THAT HE WOULD DROP REFERENCE TO 200-MILE LIMIT UNDER ITEM 2.4, AND WOULD SUGGEST LIMITS APPEAR UNDER ITEM 2.3.2. BRAZIL WITHDREW ITS REFERENCE TO 200 MILES. US REP STATED THAT AS PROPONENT OF DEALING WITH LIMITS UNDER 2.3.2, WE WOULD WITHDRAW REFERENCE TO 12 MILES FROM 2.1 IN VIEW OF PERUVIAN REMARKS. HOWEVER, AS NUMBER OF STATES WERE INVOLVED IN PREPARATION OF THAT ALTERNATIVE WE COULD NOT SPEAK FOR SUCH STATES. COMMITTEE THEN PASSED ON TO ITEM 2.4, INNOCENT PASSAGE AND TERRITORIAL SEA.

4. USSR INQUIRED WHETHER IT WAS INTENDED TO PREPARE COMPARATIVE TABLE ON ITEMS UNDER CONSIDERATION. CHAIRMAN RESPONDED IN THE AFFIRMATIVE.

5. MOROCCO SUPPORTED BY EGYPT PROPOSED ALTERNATIVE TO ITEM 2.4 WHICH MADE NO DISTINCTION BETWEEN STRAITS USED FOR INTERNATIONAL NAVIGATION AND OTHER AREAS IN TERRITORIAL SEA. FIJI ALSO SUBMITTED ALTERNATIVE ON THIS ITEM WHICH ESSENTIALLY PROVIDED INNOCENT PASSAGE WOULD APPLY SUBJECT TO THE LIMITATIONS PROVIDED IN CONVENTION.

6. MALTA ASKED ABOUT STATUS OF COMPARATIVE TABLE (SUBMITTED BY U.S.) ON ITEM 2.4. CHAIRMAN EMPHASIZED THAT TABLE WAS INITIATIVE OF ONE DELEGATION AND THAT SOME DELEGATIONS HAD SUBSEQUENTLY SUBMITTED ALTERNATIVES WHICH WERE NOT REFLECTED IN TABLE. TURKISH REP SUGGESTED THAT SINCE 8-POWER STRAITS PROPOSAL AND FIJIAN ARTICLES CONTAINED MANY SIMILARITIES TO 1958 CONVENTION, AN EFFORT MIGHT BE MADE TO CONSOLIDATE THESE ARTICLES IN A COMMON TEXT. SPANISH SUGGESTED THAT WORKING GROUP CONTINUE AS BEFORE BY EXAMINING ITEM 2.4 ALTERNATIVE BY ALTERNATIVE.

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7. FIJIAN REP, ON BASIS OF PROCEDURE INDICATED BY CHAIRMAN, PROCEEDED TO GO THROUGH HIS PROPOSAL (A/-AC.138/SC.II/L.42) ARTICLE BY ARTICLE. SOVIETS ALSO INTRODUCED LANGUAGE ON ITEM 4.1 WHICH PROVIDED FOR FREE PASSAGE THROUGH STRAITS USED FOR INTERNATIONAL NAVIGATION CONNECTING TWO PARTS OF THE HIGH SEAS.

8. US REP POINTED OUT THAT ITS DRAFT COMPARATIVE

TABLE INCLUDED VERBATIM TEXT FROM FIJI PROPOSALS UNDER ITEM 2.4. US REP SUGGESTED THAT TO EXTENT THERE WERE NO ALTERNATIVES INVOLVED, DELEGATES MIGHT WELL AWAIT THE APPEARANCE OF THE TABLE RATHER THAN READING TEXTS VERBATIM TO WORKING GROUP. CAMEROON POINTED OUT WORKING GROUP WAS RECEIVING DOUBLE PRESENTATION FROM SAME TEXTS. IRAQI REP CRITICIZED CHAIRMAN'S INSISTENCE ON REGARDING U.S. COMPARATIVE TABLE AS ALTERNATIVE OF THE U.S. HE SUGGESTED U.S. PAPER BE CONSIDERED AS POSITION OF THREE STATES AND AMENDMENTS MADE TO TABLE TO ADD ALTERNATIVES SUGGESTED SUBSEQUENTLY. SPAIN REITERATED ITS SUGGESTION THAT WORKING GROUP PROCEED ARTICLE BY ARTICLE.

9. FIJIAN REP AGREED THAT CONSOLIDATED TEXT MIGHT BE USEFUL TO COMPARE PROPOSALS, BUT THAT UNITY OF THOUGHT WAS IMPORTANT. HE WAS PREPARED TO ACCEPT IRAQI SUGGESTION TO USE U.S. COMPARATIVE TABLE.

10. U.S. INDICATED WILLINGNESS TO ADD ALTERNATIVES SO THAT THEY MAY BE SEEN SIDE BY SIDE. PHILIPPINES SUPPORTED U.S. POSITION WHILE PERU OPPOSED IT. IRAQI REP ONCE AGAIN MADE POINT THAT NEW ALTERNATIVES COULD BE ADDED TO COMPARATIVE TABLE. SOVIETS QUESTIONED WHETHER NEW COMPARATIVE TABLE WAS NECESSARY AND SUGGESTED THAT ALL DELEGATIONS SUBMIT VARIANTS AND THEN SECRETARIAT AND CHAIRMAN COULD DECIDE ORDER FOR VARIANTS TO APPEAR. URUGUAY STRONGLY SUPPORTED USE OF U.S. COMPARATIVE TABLE. U.S. INTERVENED ONCE AGAIN TO STATE WE DID NOT CARE WHETHER COMPARATIVE TABLE REGARDED AS US OR GROUP DOCUMENT. OTHER PROPOSALS COULD BE REFLECTED AND ADDED SUB-

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SEQUENTLY IN EITHER CASE. CHAIRMAN CONCLUDED MEETING BY STATING WORKING GROUP HAD NOT YET FOUND SOLUTION FOR ITEM 2.4 AND THAT HE WOULD REFLECT ON BEST METHOD FOR PROCEEDING WITH WORK. (COMPARATIVE TABLE WAS DISTRIBUTED LATER IN DAY.)

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